

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

MARY ANN SCOTT

CASE NO. 6:20-CV-00510

VERSUS

**JUDGE ROBERT R.
SUMMERHAYS**

**COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION**

**MAGISTRATE JUDGE
WHITEHURST**

JUDGMENT


For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, after an independent review of the record, noting the absence of any objection, and having determined that the findings and recommendations are correct under the applicable law;

IT IS ORDERED that the Commissioner's decision should be REVERSED and REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g).¹ More particularly, the Commissioner is instructed to reevaluate Claimant's residual functional capacity on the date last insured based upon Dr. Weitz's, Dr. Stanger's, and Dr. Boussert's opinions and, if necessary, thereafter to

¹ A fourth sentence remand constitutes a final judgment that triggers the filing period for an EAJA fee application. *Shalala v. Schaeffer*, 509 U.S. 292 (1993); *Freeman v. Shalala*, 2 F.3d 552, 553 (5th Cir. 1993).

assess, at a minimum, a closed period of disability. The claimant should be afforded the opportunity to submit updated medical evidence and to testify at another hearing.

THUS DONE AND SIGNED in Lafayette, Louisiana, on this 6th day of April, 2021.



ROBERT R. SUMMERHAYS
UNITED STATES DISTRICT JUDGE